

By: Shapiro

S.B. No. 175

A BILL TO BE ENTITLED

AN ACT

relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.803, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) Subject to Subsection (a-1), each ~~Each~~ general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and:

(1) the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) the applicant:

(A) successfully completed:

(i) at a public high school, the curriculum requirements established under Section 28.025 for the recommended or advanced high school program; or

(ii) at a high school to which Section

1 28.025 does not apply, a curriculum that is equivalent in content
2 and rigor to the recommended or advanced high school program; or

3 (B) satisfied ACT's College Readiness Benchmarks
4 on the ACT assessment applicable to the applicant or earned on the
5 SAT assessment a score of at least 1,500 out of 2,400 or the
6 equivalent; and

7 (3) if the applicant graduated from a high school
8 operated by the United States Department of Defense, the applicant
9 is a Texas resident under Section 54.052 or is entitled to pay
10 tuition fees at the rate provided for Texas residents under Section
11 54.058(d) for the term or semester to which admitted.

12 (a-1) A general academic teaching institution is not
13 required to admit under Subsection (a) more than 50 percent of the
14 institution's first-time resident undergraduate students in an
15 academic year. If the number of applicants who qualify for
16 automatic admission to a general academic teaching institution
17 under Subsection (a) exceeds 50 percent of the institution's
18 enrollment capacity designated for first-time resident
19 undergraduate students, the institution may elect to offer
20 admission to those applicants as provided by this subsection and
21 not as otherwise required by Subsection (a). If the institution
22 elects to offer admission under this subsection, the institution
23 shall offer admission to those applicants by percentile rank
24 according to graduating class standing based on grade point
25 average, beginning with the top percentile rank, until the
26 applicants qualified under Subsection (a) have been offered
27 admission in the number estimated in good faith by the institution

1 as sufficient to fill 50 percent of the institution's enrollment
2 capacity designated for first-time resident undergraduate
3 students, except that the institution must offer admission to all
4 applicants with the same percentile rank. The institution shall
5 consider any remaining applicants qualified for automatic
6 admission under Subsection (a) in the same manner as other
7 applicants for admission as first-time undergraduate students in
8 accordance with Section 51.805.

9 (a-2) In the manner prescribed by the Texas Education Agency
10 and not later than April 15, a general academic teaching
11 institution shall provide to each school district, for
12 dissemination of the information to high school junior-level
13 students and their parents, notice of which percentile ranks of
14 high school senior-level students are anticipated by the
15 institution to be automatically offered admission under Subsection
16 (a-1) during the next school year if:

17 (1) the number of applicants to the institution during
18 the current school year who qualify for automatic admission to the
19 institution under Subsection (a) exceeds 50 percent of the
20 institution's enrollment capacity designated for first-time
21 resident undergraduate students; and

22 (2) the institution plans to offer admission under
23 Subsection (a-1) during the next school year.

24 SECTION 2. Section 28.026, Education Code, is amended to
25 read as follows:

26 Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION. (a)
27 The board of trustees of a school district shall require each high

1 school in the district to post appropriate signs in each
2 counselor's office, in each principal's office, and in each
3 administrative building indicating the substance of Section 51.803
4 regarding automatic college admission. To assist in the
5 dissemination of this information, the school district shall:

6 (1) require that each high school counselor and class
7 advisor be provided a detailed explanation of the substance of
8 Section 51.803;

9 (2) provide each district student, at the time the
10 student first registers for one or more classes required for high
11 school graduation, with a written notification of the substance of
12 Section 51.803;

13 (3) require that each high school counselor and senior
14 class advisor explain to eligible students the substance of Section
15 51.803; and

16 (4) [~~3~~] provide each eligible senior student under
17 Section 51.803, at the commencement of a class's senior year, with a
18 written notification of the student's eligibility with a detailed
19 explanation of the substance of Section 51.803.

20 (b) The commissioner shall adopt forms to use in providing
21 notice under Subsections (a)(2) and (4). In providing notice under
22 Subsection (a)(2) or (4), a school district shall use the
23 appropriate form adopted by the commissioner.

24 (c) The commissioner shall adopt procedures to ensure that,
25 as soon as practicable after this subsection becomes law, each
26 school district provides written notification of the substance of
27 Section 51.803, as amended by the 81st Legislature, Regular

1 Session, 2009, to each district student who, for the 2009-2010
2 school year, registers for one or more courses required for high
3 school graduation. The commissioner may adopt rules under this
4 subsection in the manner provided by law for emergency rules. Each
5 district shall comply with the procedures adopted by the
6 commissioner under this subsection. This subsection expires
7 September 1, 2010.

8 SECTION 3. The change in law made by this Act to Section
9 51.803, Education Code, applies beginning with admissions to a
10 general academic teaching institution for the 2010-2011 academic
11 year. Admissions to a general academic teaching institution for an
12 academic period before that academic year are governed by the law in
13 effect immediately before the effective date of this Act, and the
14 former law is continued in effect for that purpose.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2009.